

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

GEORGE STAPLEY

PLAINTIFF

VS.

CIVIL ACTION NO. 1:08cv340HSO-JMR

HALEY BARBOUR, ET AL.

DEFENDANTS

**ORDER GRANTING MOTION TO DISMISS FILED BY
HALEY BARBOUR, GOVERNOR OF THE STATE OF MISSISSIPPI**

BEFORE THE COURT is a Motion to Dismiss pursuant to FED. R. CIV. P. 12(b)(5) filed on February 2, 2009 [13-1] by Haley Barbour, Governor of the State of Mississippi. Plaintiff Stapley filed a Response in Opposition on February 9, 2009 [15-1]. The Court, after review of the record, the pleadings on file and the relevant legal authorities, finds that the Motion filed by Governor Haley Barbour is well taken and should be granted.

IT IS, THEREFORE, ORDERED AND ADJUDGED that, the Motion to Dismiss Haley Barbour should be and is hereby **GRANTED** and Haley Barbour, Governor of the State of Mississippi is hereby dismissed from this civil action pursuant to FED. R. CIV. P. 12(b)(5).

SO ORDERED AND ADJUDGED, this the 27th day of February, 2009.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE